

HERNANDEZ V ROSSO UPTOWN, LTD.**DEFAULT JUDGMENT DAMAGE SUMMARY**

| Count | Cause of Action | Santos Manuel De Jesus | |
|--------------|------------------------------|-------------------------------|-----------------------------|
| | | Hernandez | Lievano |
| II & III | Overtime (NYLL/FLSA) | \$ 40,851.56 | \$ 40,737.38 |
| IV | Spread of Hours (NYLL) | 7,050.00 | 5,940.00 |
| II-IV | Liquidated Damages (FLSA/NY) | 47,901.56 | 46,677.38 |
| III & IV | Prejudgment Interest (NYLL) | 31,329.59 | 25,970.91 |
| V | NYLL 195(1) | 5,000.00 | 5,000.00 |
| VI | NYLL 195(3) | <u>5,000.00</u> | <u>5,000.00</u> |
| TOTAL | | <u>\$ 137,132.72</u> | <u>\$ 129,325.66</u> |

As Of 8/14/2024

SANTOS HERNANDEZ**DAMAGES CALCULATIONS - MOTION FOR DEFAULT*****Hernandez v Rosso Uptown, Ltd.***

| | | First | Last | Weeks |
|---------------------|--|-----------|----------|--------|
| Dates of Employment | | 3/20/2016 | 7/1/2018 | 119.00 |

Wages/Rates

| From | To | Rate | Hourly Rate | Overtime Rate (1.5 x Hourly Rate) |
|-----------|-----------|-----------|-------------|--------------------------------------|
| 3/20/2016 | 5/31/2017 | \$ 400.00 | 10.00 | \$ 15.00 |
| 1/1/2018 | 7/1/2018 | \$ 475.00 | 11.88 | \$ 17.81 |

Hours Worked

| | From | To | Lunch (Hrs) | Hours Worked | SOH |
|-----|------|----------|-------------|--------------|----------|
| Mon | | | | | |
| Tue | | 11:00 AM | 10:00 PM | 1.00 | 10.00 |
| Wed | | 11:00 AM | 10:00 PM | 1.00 | 10.00 |
| Th | | 11:00 AM | 10:00 PM | 1.00 | 10.00 |
| Fri | | 11:00 AM | 11:00 PM | 1.00 | 11.00 |
| Sat | | 11:00 AM | 11:00 PM | 1.00 | 11.00 |
| Sun | | 12:00 PM | 10:00 PM | 1.00 | 9.00 |
| | | | | | SOH Days |
| | | | | 61.00 | 6.00 |

| Average Hours | | | | | | | | |
|---|------------|-----------|--------------|--------------|------------|--------------|-----------|----------------------|
| From | To | Weeks | Worked/Week | Regular Rate | OT Rate | OT Hours | Unpaid OT | Total |
| 3/20/2016 | 5/31/2017 | 62.00 | 61.00 | \$ 10.00 | \$ 15.00 | 21.00 | \$ 315.00 | \$19,530.00 |
| 6/1/2017 | 7/1/2018 | 57.00 | 61.00 | \$ 11.88 | \$ 17.81 | 21.00 | \$ 374.06 | \$21,321.56 |
| | | 119.00 | | | | | | \$ 40,851.56 |
| SOH | | | | | | | | |
| From | To | Weeks | Days/Week | Min Wage | | Owed/Wk | | Total |
| 3/20/2016 | 12/31/2016 | 41.00 | 6.00 | \$ 9.00 | | \$ 54.00 | | \$ 2,214.00 |
| 1/1/2017 | 12/31/2017 | 52.00 | 6.00 | \$ 10.00 | | \$ 60.00 | | \$ 3,120.00 |
| 1/1/2018 | 7/1/2018 | 26.00 | 6.00 | \$ 11.00 | | \$ 66.00 | | \$ 1,716.00 |
| | | 119.00 | | | | | | \$ 7,050.00 |
| Overtime | | | | \$40,852 | | | | \$ 40,851.56 |
| Spread of Hours Pay | | | | \$7,050.00 | | | | \$ 7,050.00 |
| Wage Statement Violations (NYLL 195(3) & 198) | | | | \$5,000.00 | | | | \$ 5,000.00 |
| Wage Notice Violations (NYLL 195(1) & 198) | | | | \$5,000.00 | | | | \$ 5,000.00 |
| Yearly | | | | | | | | |
| From | To | Midpoint | Wages | Years | Interest | TOTAL | | |
| 3/20/2016 | 7/1/2018 | 5/10/2017 | \$ 47,901.56 | 7.27 | \$4,311.14 | \$31,330 | | \$ 31,329.59 |
| | | | | | | TOTAL | | \$ 137,132.72 |

As Of 8/14/2024

EMANUEL DE JESUS LIEVANO**DAMAGES CALCULATIONS - MOTION FOR DEFAULT*****Hernandez v Rosso Uptown, Ltd.***

| | | First | Last | Weeks |
|---------------------|--|----------|----------|-------|
| Dates of Employment | | 8/1/2016 | 7/1/2018 | 99.00 |
| Weeks Worked | | | | |

Hours Worked

| | From | To | Lunch (Hrs) | Hours Worked | SOH |
|--|------|----|-------------|--------------|-----|
|--|------|----|-------------|--------------|-----|

| | | | | | |
|-----|----------|----------|------|-------|-------|
| Mon | 10:30 AM | 10:00 PM | 1.00 | 10.50 | 11.50 |
| Tue | | | | | |
| Wed | 10:30 AM | 10:00 PM | 1.00 | 10.50 | 11.50 |
| Th | 10:30 AM | 10:00 PM | 1.00 | 10.50 | 11.50 |
| Fri | 10:30 AM | 11:00 PM | 1.00 | 11.50 | 12.50 |
| Sat | 10:30 AM | 11:00 PM | 1.00 | 11.50 | 12.50 |
| Sun | 11:00 AM | 10:00 PM | 1.00 | 10.00 | 11.00 |

| SOH Days | |
|----------|------|
| 64.50 | 6.00 |

